
A
DEFENCE
OF THE
ABSOLUTION

GIVEN TO
Sr. **WILLIAM PERKINS,**

At the Place of Execution. April the 3d.

WITH A

Farther *VINDICATION* thereof,

Occasioned by a Paper,

Entituled a *Declaration of the Sense of the Arch-
Bishops and Bishops, &c.*

DEFENCE

OF THE

ADVERTISEMENT.

Ho' I hope to be rightly understood in all the particulars of my Defence, it not being my intention to give any provocation: Yet I think my self obliged to advertise the Reader, that Mr. ~~Smith~~ and Mr. ~~Cook~~, have been altogether unacquainted with, unconcerned in, and unconsenting to, the Printing, or Publication, of these two Papers.

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DEFENCE

OF THE
Absolution given to Sir William Perkins
at the Place of Execution. April the 3d.

MY being present and in some measure Officiating at the Place of Execution on Friday last, has been extremely misunderstood. The *Weekly Intelligence* together with the *Remarker*, have censured this Action with a great deal of Liberty, and Heat. I thank God I am not easily disturbed with intemperate Language, especially when 'tis given without Occasion. So that if Matters had gone no farther, I could have passed over the ill Usage and said nothing. I confess having received notice that some Persons of Figure threatned me with Imprisonment, I took a little care of my self; and as it happen'd not without reason. For on Monday about Twelve at Night, six or eight Persons rushed into my Lodgings, broke open a Trunk, and seiz'd some Papers of Value, tho' perfectly Inoffensive, and Foreign to their Purpose. And since, I understand there is a *Bill* found against me for *High Misdemeanors*. And now one would think I had done something very extraordinary.

I shall therefore make a brief Report of Matters of Fact, and leave the World to judge, whether all these Censures and Severities are deserved or not.

Sir William Perkins (whom I had not seen for four or five Years last past) after his Tryal, desired me to come to him in order to his Preparation for another World. I accordingly visited him in *Newgate*, as I thought my self obliged by my Character. I was put in the List of those who had leave to see him by Publick Order, and had the

first two Days the Liberty of conversing with him in Private. Afterwards I was not permitted to Speak, or Pray with him alone, a *Keeper* being always present. At last even this Permission was recall'd, insomuch that I could never see him from *Wednesday Morning, April the 1st*, till *Friday* at the place of *Execution*. Sir *William* being under an Expectation of Death from the time of his *Sentence*, had given me the State of his Conscience, and therefore desired the Solemn Absolution of the Church, might be Pronounced to him by me, the last Day. And understanding I was refused Admittance on *Friday Morning*, he sent me Word that he would gladly see me at the Place of *Execution*. I went thither, and gave him the Absolution he requested, it being impracticable for me to do it elsewhere. This Office I perform'd Word for Word in Form, as it stands in the *Visitation of the Sick*. And now where lies the great Crime of all this? When a Man has declared his Sorrow for all the Faults, and Miscarriages of his Life, and qualified himself for the Priviledge of Absolution, with what Justice could it be denied him? Ought not Dying Persons to be Supported in their last Agonies, and pass into the other World with all the Advantage the Church can give them? I am surprized, so regular a Proceeding as this, should give so much Offence, and make so much a Noise as I perceive it has done. Some People I understand are displeas'd at the Office being perform'd with *imposition of Hands*. Now this is not only an innocent, but an ancient Ceremony of Absolution. 'Twas the general Practice of the Primitive Church in such cases, long before there were any Exceptions to the *Roman Communion*. 'Tis in the Opinion of several Fathers, and good Modern Expositors refer'd to by the Apostle (1 Tim. 5. 12.) 'Tis likewise prescribed the *Assisting Presbyters* in our own *Ordination Form*. But I suppose I need say no more in defence of this *Circumstance*. To proceed. Others seem very much shocked at the Thing it self; and think it a strange Presumption to admit a Person charged with so high a Crime, to the benefit of Absolution. With submission,

on, this is concluding a great deal too fast. Are all people damned that are cast in a Capital Indictment? If so, to what purpose are they visited by Divine, why are they exhorted to Repentance, and have Time allowed them to fit them for death? But if they may be acquitted hereafter, notwithstanding their Condemnation here; if they may be recovered by Recollection, by Repentance, and Resignation, why should the Church refuse them her Pardon on *Earth*, when she believes 'tis passed in *Heaven*? The Power of the *Keys* was given for this purpose, that the *Ministers* of God might *bind* or *loose*, as the Disposition of the Person required. The latter I sincerely believed to be Sir *William's* Case: I judged him to have a full *Right* to all the Priviledges of *Communion*: And therefore had I denied him Absolution upon his Request, I had failed in my Duty, and gone against the Authority both of the *Ancient*, and *English* Church. If 'tis said that the Nature of this Gentleman's Charge required his being Absolved in Private. To this I answer, so he had been, had I been permitted to visit him the last Morning. But this Liberty was refused me more than once. And I hope I shall not be blamed for Impossibilities of other Mens making. In short, he seem'd very desirous of Absolution at my Hands, as being the only Person acquainted with his Condition. Privately 'twas not in my Power to give it him; So that he must either receive it Publickly from me, or not at all. But Sir *William* confess'd himself acquainted with the intended *Assassination*. Pray did he confess it to me, and have I revealed any Part of his Confession? Then I had been guilty of *High Misdemeanor* indeed. I had broke the 113th. Canon, and been Pronounced *Irregular* by the Church. And he that falls under *Irregularity*, is for ever after incapable of Executing the Office of a Priest. (Dr. *Heylin's* Introduction to *Cyprian. Angl. p. 6.*) I confess there is an Exception in the Canon, but that does not reach the Case in Hand, even upon the largest Supposition. Well! But Sir *William* own'd this Charge before the *Committee*. How could I know that?

that? I neither saw Sir *William* after his Examination, till Friday Noon, nor the *Votes* which mentioned it till after that Time. But he confess'd it in his *Paper*. What then? Which way does the *Paper* concern me? 'Tis well known Sir *William Perkins* was a Man of Sense, and bred to Law and Letters, and needed no help to assist him in Writing a few Lines. Besides, I was not permitted to come near him for more than two Days before he suffer'd: Neither was he allow'd so much as Pen and Ink till the last Morning. Then it was that he pen'd his *Speech*, as I am told by those who were present; and having read it before the *Keeper*, deliver'd a Copy of it to a Friend, which was not shew'd to me till after the *Execution*. Indeed, I did believe he would leave some *Peper* behind him, both because 'tis customary upon such sad Occasions; and because on Tuesday Night when he expected Death on Wednesday, he desired Pen, Ink and Paper, for that purpose.

And now after all, I desire to know, in what single Circumstance I have misbehaved my self, or done any thing unbecoming my Profession? 'Tis very hard a Man must be Persecuted for Performing the Obligations of his Office, and the Duties of common Friendship, and Humanity. As for any Methods of *Murder*, I dislike them no less than those who rail loudest; and nothing but a Mercenary Malice could suggest the contrary. But if the Functions of the Priesthood, and the Assistances of Religion, and the Reading the Publick *Liturgy* are grown a Crime, I am not concerned at the Imputation, I hope the complying Clergy will take some care to check the Disorders, and inform the ignorance of their People a little better. If they are unreprieved for these slanderous Excesses, their Pastors must one Day expect to account for it.

As for those in *Power*, 'tis possible they may have been govern'd by Mis-reports, and sudden Resentment: if second Thoughts, and the Reason of the Case, will put a stop to their Severities. And that this may be the issue of the Business, I think my self obliged to wish as well for their sakes, as my own.

Apr. 9th. 1696.

Fer. Collier.

as before from the same

AND FARTHER

DEFENCE

OF THE

ABSOLUTION

GIVEN TO

Sr. WILLIAM PERKINS,

OCCASIONED

By a Paper, Entituled a Declaration of
the Archbishops, and Bishops, &c.

ABOUT a Fortnight since I publish'd the foregoing Defence of the *Absolution* given to Sir William Perkins. 'Tis true, the Vindication was not drawn out into any great length, neither did I imagine it necessary. That which was said, was in my opinion sufficient to satisfy any candid and impartial Reader. If the Argument was any where over-contracted, 'twas in that part which mentions *Imposition of Hands*. Here I confess the proofs were but generally named, and the force and improvement of them left in some measure to Collection. My desire to undeceive the people; and to silence their clamours as soon as might be, the disadvantage of my retirement, and the plainness of the Case, were the reasons why I was no fuller upon that Head. But now I have a fresh opportunity to treat the point more at large. The late Declaration, &c. of the Bishops having given me a full occasion to resume the Argument. I must own the perusal of this Declaration surprized me very much. I could not imagine these Reverend Prelates would have published so unsupported a Censure; nor engaged their Character

Character so far in this Affair, I am almost amazed an innocent Conduct should be thus misconstrued, and the Charge run so high without proof, or provocation to defended it.

The Declaration begins with some Remarks upon the Papers of Sir *William Perkins*, and Sir *John Friend*: These Exceptions I shall pass over, as being unconcerned in their Defence. Indeed my Resolution upon the whole is, to engage no farther than the Justification of my own Conduct; as being unwilling to have any unnecessary Disputes with these Reverend Prelates.

The pretended Irregularity objected against Mr. *Saunders*, Mr. *Cook*, and my self, relates wholly to the Absolution given to those two Gentlemen at the place of Execution. The performance of this Office, the Bishops are pleased to say was *extreamly insolent and without precedent, in the manner, and altogether irregular in the thing.* (p. 6, 7.)

I shall endeavour to justify my Practice against every Point of the Accusation, and prove the Absolution defensible, both with respect to manner, and form, to persons, and occasion. And 1st. with respect to the Manner. And here I shall make good three Things.

1st. That giving Absolution with Imposition of Hands was the general practice of the Ancient Church.

2^{dly}. That the performance of this Ceremony was allowed to Priests, and sometimes to Deacons, as well as Bishops.

3^{dly}. That Imposition of Hands is enjoined the assisting Presbyters by our own Church, in the Office of Ordination, and by parity of reason is fairly applicable to the present case.

1st. That giving of Absolution with Imposition of Hands, was the general practice of the Antient Church.

To begin with *Tertullian*; who lived in the beginning of the third Century. This Father understands that place of the Apostle, *lay hands suddenly on no man*, (1 Tim. 5. 22.) of the Offices of Penance and Absolution. (*L. de pudic. cap. 18.*) And (*cap. 22.*) He alludes

to the same Custom in these words, *Carnem laniatam proferens*, as *Albaspineus* observes. (*Albasp. obser. l. 2. p. 97. Not. in Terrall. p. 181.*) Indeed the Design of his Book de *Pudicitia*, plainly determines the Author to this sense. Here he treats professedly of those who were to be finally excluded from Church Communion, and denied the Discipline of Penance. He disputes nothing about *Confirmation*, or *Orders*, so that 'tis evident the *Imposition of Hands*, mentioned by him, must relate to Penitential Absolution.

St. Cyprian's Council of *Carthage*, is express to the same purpose. Here *Nemesianus*, *Crescens*, *Secundinus*, and *Vincensius*, Bishops of *Thubuni*, *Cirta*, *Caxpi*, and *Tiberis*, all of them agree, that the Churches Peace, and the Expedients of Reconciliation, were to pass through this Form of Imposition of Hands.

The 80th Canon of the 4th Council of *Carthage*, enjoins, That during the whole time of Abstinence, (I suppose either stated, or occasional) the Priests (*Sacerdotes*) should lay their Hands upon the *Penitents*.

The 11th Canon of the 3d Council of *Toledo*, in the Directions for the Methods of Penance, is positive for the frequent use of this Ceremony, which made *Albaspineus* conclude, That *Absolution-Prayers*, and *Imposition of Hands*, were repeated and customary in such cases. (*Albasp. Observ. l. 2. p. 86.*)

To conclude this point. The Learned Dr. *Hammond* in his Annotations on the Text above mentioned, (*1 Tim. 5. 22.*) refers the laying on of Hands to *Absolution*. "The Apostle" (says he) exhorts *Timothy* that he should not make too much haste to receive those who were under Censures, to Absolution. For that was the thing which would most probably make him partaker, or guilty of their sins, which the Censures were designed to reform in them, but would not do so, if before they had approved their Repentance and Reformation, they were received to the Peace of the Church. This Learned Divine cites a great many Authorities in Defence of his Opinion, which the Reader may consult at his leisure.

Secondly, The pronouncing the Absolution with Imposition of Hands, is no Encroachment upon the Episcopal Authority, but plainly allow'd to the Order of Presbyters.

This point I shall make good from several plain Testimonies of St. Cyprian, whose Authority must be granted to be unexceptionable, both with respect to the Antiquity and Character of the Person. Indeed 'tis to this Father that we are principally obliged for the Remains we have of the Discipline and Government of the Primitive Church.

Now St. Cyprian is categorical in the case, and affirms roundly, that in lesser Crimes than those of the Lapsed, the Penitents could not be admitted to full Communion, unless the Bishops and Clergy had laid their Hands upon him. *Nisi prius illi ab Episcopo & clero manus fuerit imposita.* (Ep. 17. p. 39. Ed. Oxon.) Now where the Bishops and Clergy are thus contradicting with'd, the Order of Priests must be comprehended in the latter, in the most restrain'd Construction. I might produce his 15th and 16th Ep. (p. 34, 37.) for the same purpose; but because these Testimonies run much in the words of the former, I shall wave the Recital.

This Father in his 18th Ep. tells his Priests and Deacons, That they need not expect his coming Home, to reconcile the Lapsed, but if any of the Lately were in danger of Death, a Priest, and if a Priest could not be had, and the necessity was extream, a Deacon, was a sufficient Authority, to hear their Confession, to lay Hands upon them, and consign them to the Peace of the Church. The same Advice, upon the same occasion is repeated, (Ep. 19. p. 41.) From whence 'tis evident, that Imposition of Hands was no reserv'd incommunicable privilege of the Bishops, but delegated as low as the Deacons, upon emergent necessity, and visible Approaches of Death. These Authorities of St. Cyprian, are all double charged, and prove two points at once. They prove, that Imposition of Hands was a general Appendix to Absolution, and that it was within the Commission of the Priest to officiate in the Ceremony. To proceed.

In the 13th Canon of the first Council of *Nice*, the *Viaticum* is order'd to be given to those who are at the point of Death: And by the *Viaticum*, *Albassinum* proves, that Absolution with Imposition of Hands was meant, and not the *Eucharist*: And that such an Absolution might be given by those who were no more than Priests. (*Albass. Not. in quosdam Can. p. 131.*) I could amasse a great many more Testimonies were it necessary; but I conceive what has been said already, may be sufficient to vindicate my Practice from the Charge of Encroachment, and Singularity.

Thirdly, Imposition of Hands is enjoyn'd the *Assisting Presbyters* by our own Church in the Office of *Ordination*, and by parity of reason is fairly applicable to the present case.

If our Church had thought the Imposition of Hands too much for the Character of Priests, she would not have prescrib'd them a share in't at her *Ordinations*. But since she has allow'd them this liberty in the most solemn Exercises of Authority, why should she deny it in inferior Cases? To assist in the Conveyance of an Authority, seems a greater mark of Power, than the executing any Branch of the Authority convey'd. If the Presbyters are permitted to lay their Hands upon the *Clergy*, why not a *fortiori* upon the *Laity*? St. *Hierom* affirms plainly (*Ep. ad Evagr.*) that the Powers of a Priest comprehend those of a Bishop, excepting in the point of *Ordination*. Our Church has never condemn'd this Father's Assertion; why then may not the first *Absolve* with Imposition of Hands, no less than the other?

But there is no Appointment of this Ceremony in the *Absolution-Rubrick*. True: Neither is there any Prohibition. The *Rubrick* is perfectly silent both as to Posture and Gesture, and yet some Circumstances of this Nature must of necessity be used.

Now since our Church allows the Priest Imposition of Hands in another case, and does not forbid it in this, Is it any harm if our Liberty moves upward, and determines it self by general Usage and Primitive Practice? Our Church

has always professed a regard for the Patterns of Antiquity : We can't do her a greater Honour, than by conforming to the Solemnities of the purest Ages, than by making the Discipline of *Fathers* and *Councils* the Rule of our Behaviour. Especially when we are not bound up by National Law, and particular *Constitution*. Thus much for the *Manner*.

I come now to justify the thing and the occasion.

'Tis objected by these *Reverend Prelates*, that the three *assisting Clergymen* pronounced a *Form of Absolution*, &c. With submission, I hope a *Form* is better than *no Form*. Especially when it was a *Form Rubrically* appointed. A *Form* drawn up by the publick Authority of the Church, confirm'd by *Canon*, and *Act of Parliament*. A *Form* the most pertinent and proper to the occasion of any in the *Liturgy*. I am sorry to see the solemn Offices of Religion mentioned with such seeming coldness, and Abatements of Expression. Were it not that I am unwilling to give these *Reverend Prelates* the trouble of a Question, I would gladly understand what *Form* they could have fix'd on more suitable to so sad an occasion? I'm sure that *Form of Absolution* is the most solemn and Authoritative of any in the *Service-Book*. Now if ever the Church exerts her self ought it not to be in cases of the greatest Necessity? Can her most comfortable Administrations, and the highest Acts of her Authority, be better employ'd than for the Relief of Dying Persons, who are combating the *King of Terrours*, and stand just upon the brink of Eternity? Upon the whole, I am surprized they should say the *Rubrick* gave us no pretence of Authority to absolve those Persons. Does not the *Rubrick* give the Priest a power to pronounce the *Absolution*, and to judge of the Condition of the Penitent? This cannot be deny'd. And why then had we no pretence of Authority? *Because the Rubrick relates to the Sick*. To this I answer. Had the Church left us a stated Office for *Persons Condemn'd*, and we had refused to make use of it, there had been some force in the Objection : But as the matter stands, I humbly conceive there is none at all. The Church without question, would have *Condemned Persons* taken care of,

of, as well as others, and their Spiritual Necessities supplied. And if so, is it not more respect to the Church to officiate in Forms of her own setting forth, than in private and unauthorized Compositions? And if the Function was to be performed in the publick Devotions, I desire to know what part of them could have been more proper than the *Office of Visitation of the Sick*? If we consider the Design of the Church, and especially the Rubrick before the *Absolution*, we shall find that she intended this Office to prepare People for the other World, and consider'd them rather as Dying, than likely to recover. This appears evidently from the Questions and Advices order'd to be ask'd and given; so that where ever Death is in view, the *Office* cannot be unseasonable, nor misapplied. And can any Persons be more certain of Death than those who are publickly Condemn'd, who lie under fatal Sentence, and irresistible Power? Who have the Force of the County to dispatch them, and are just ready to receive the Stroke? As to the previous Questions, they were put and answer'd, the *Absolution* was desired, and the *Confession* receiv'd in Prison; and in short, the Churches Directions were observed in every particular. But we did not move them to make a special Confession of their Sins at that time. With Submission, where lies the Necessity, or even the Expediency of such a Practise? Does our Church oblige Dying Persons to publick Confession? Does she require them to throw open the Retirements of Conscience, and the Secrets of private Life, to the view of the World? I am at a loss to understand why we should be charg'd with Omissions on such accounts as these.

The Declaration, &c. proceeds with great vehemence, (p. 9.) and charges us with manifest Transgression of the Churches Order, and prophane Abuse of the Authority of Christ. These are hard words, but I hope altogether undeserved. 'Tis true, they instance only in Mr. Snatt, and Mr. Cook, but I must own the Objection lies equally against my self; for I never saw Sir John Friend during his whole Imprisonment. But in assisting at his Absolution so far as laying on my Hand amounts

amounts to, I did no more than what is easily defensible. I grant I had no immediate and particular knowledge of his Condition, neither was it necessary. Our Church, in conformity to Antiquity, has made the Priest the proper Judge of the Qualifications of the *Penitent*, and supposes him fit to be trusted, and believed in that Affair. Now Mr. *Swart* and Mr. *Cook*, (upon whose Judgment and Integrity I can very well depend) had given me a general Account of Sir *John's* Pious Disposition, and that he was well prepared for all the assistance the Church could give him. The having so good Information from first hands, from proper and authorized Judges, is sufficient to warrant my part in Sir *John's Absolution*. This, besides what has been said, I shall make good from two parallel Instances.

First, 'Tis well known that Bishops of the antient Church used to give a sort of *Certificates* to those that Travell'd; by virtue of which, they were not only entertained and accommodated, but admitted to full Communion all over *Christendom*. (*Alb. Not. in Can. p. 115.*) From whence we may observe, that personal Acquaintance, and particular Examination, are not necessary to give a Right to the Priviledges of Christianity. Where the Credentials are good, the Church is to enquire no farther; she is to presume upon the probity of the person recommended, and to treat him accordingly.

Secondly, Our own Church in some of the highest Administrations acts upon Principles of Trust and Confidence. She conveys her Priviledges, and exercises her Authority, without always insisting on personal Enquiry and immediate proof. At the giving of *Holy Orders* neither the Bishops, nor the assisting Presbyters, are always personally acquainted with those they *Ordain*. The prudence of our Church does not tie us up to such unreasonable Rigours. Both Practice, and the *Ordination Form*, suppose the contrary. And why then may not the Priest assist in *Absolution* as well as *Orders*, without any previous Experiment of the State of the Person? Why may not the first, as well as the latter branch of his Authority, act upon the Warrant of unexceptionable Testimony?

mony? By all parity of Reason and force of Consequence, the practice is no less defensible in one case, than in the other.

If 'tis objected, That the joyning of all the three Clergymen in the Imposition of Hands is unprecedented, and exceptionable. To this I answer. That if the Action was lawful, singly perform'd, I can't imagine how a concurrence of more authorized Persons should make it otherwise? Is there any harm in Union and Solemnity? Or can Religion be treated with too many Circumstances of Advantage? What *Canon* is there that stints the Assistance to *One*, and forbids a plurality of Persons? *Timothy* had the *Hands of the Presbytery laid upon him*; (1 Tim. 4. 14.) which, without doubt, exceeded the Number now objected. Our Church, at her *Ordination*, allows this Ceremony to all the Presbyters present. And in the very case of *Absolution*, the *Penitent* was to receive *Imposition of Hands* from the Bishop and Clergy; as appears from the Testimonies of *St. Cyprian* above mentioned. Farther.

These Reverend Prelates argue that we must either look on the Persons absolved as *Impenitents*, or *Martyrs*; and they make their advantage of each branch of the Supposition. (p. 10, 11.) But, with submission, I see no necessity of granting the Disjunction. For there may be a third way of considering the matter. To speak to my own case: I absolv'd *Sir William Perkins* as a *Penitent*; and I suppose every Body must be absolved under that Consideration. For Absolution supposes both Sin, and Repentance, in the Notion of it. But as for the Matter of *Sir William's* Repentance, that is never likely to be known from me. Neither am I in the least affected with the Bishop's Inference. For supposing I receiv'd a defective *Confession*, am I accountable for that? However, I neither do nor am obliged to declare my Opinion in this matter. But thus far I am positive, that there was nothing confess'd to me, which the *Canon* obliges me to reveal: And what the *Canon* does not enjoin me to discover, it enjoins me not to discover. (*Can. 13. Vit. first Defence*) And so there is an end of this Dispute.

I hope

I hope by this time it may appear, that I am neither unfurnish'd with *Reason*, or *Precedent*, to justify what I have done. However I shall give one late instance for the whole case, and so conclude.

At the *Execution* of Mr. *Ashton*, Jan. 1690. Absolution was given him in the same Form, with Imposition of Hands, at the same place, and upon the same occasion; and a justifying *Paper* left by the Person that Suffer'd. Now at that time there was no Exceptions made either to *Manner*, or *Thing*. The performance was so far from displeasing, that the *Sheriff* gave his Thanks for the Solemnity of the *Office*. There was no Complaints either at *Lambeth*, or *White-Hall*, no publick *Invective*, no seizing of *Body* and *Goods*; in short, no signs of the least Dissatisfaction. And who could imagine, that the bare repeating of an action, should raise such a Storm upon us now, which was so perfectly inoffensive before? To punish in this manner without warning, or *Precedent*, without Canon, or Law, is (with submission) somewhat unintelligible.

And now having defended my self, I shall reply nothing to all the unkind Reflections, and Tragical Language of the *Declaration*. 'Tis probably within my power, to turn some of these *Reverend Prelates* Artillery upon them. But my regard to their Character, and Inclination not to displease, makes me wave the advantage.

However their extraordinary usage has done me the Honour of an Opportunity to forgive them, which I thank God I heartily do.

Ap. 21. 1696. J. C.

POSTSCRIPT.

I Have just now receiv'd a Sheet, call'd, An Answer to my Defence, &c. As for that little which is material in this Paper, 'tis already satisfi'd, and I don't love needless Repetitions. And therefore to begin and end in a word with this Answerer; If he has any thing remarkable, 'tis in my Opinion, his ill Language, and that I can both see and Despise.

Apr. 25.